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August 22, 2011

VIA ELECTRONIC FILING

Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings

AUG 22 2011

Part of
Public Record

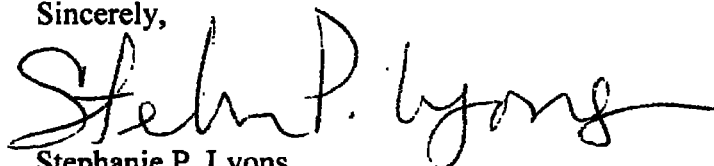
Re: Docket No. NOR 42128, South Mississippi Electric
Power Association v. Norfolk Southern Railway Company

Dear Ms. Brown:

Enclosed for filing in the above-referenced proceeding is Complainant
South Mississippi Electric Power Association's Motion to Dismiss With Prejudice.

Thank you for your attention to this matter.

Sincerely,



Stephanie P. Lyons
An Attorney for Complainant

Enclosure

cc: Counsel for Defendant

**BEFORE THE
SURFACE TRANSPORTATION BOARD**


SOUTH MISSISSIPPI ELECTRIC POWER ASSOCIATION)	
)	
Complainant,)	
)	
v.)	Docket No. NOR 42128
)	
NORFOLK SOUTHERN RAILWAY COMPANY)	
)	
Defendant.)	
)	

MOTION TO DISMISS WITH PREJUDICE

Complainant South Mississippi Power Association ("SMEPA") has reached a voluntary settlement with Defendant Norfolk Southern Railway Company, on the matters at issue in this proceeding. Accordingly, SMEPA requests that the Board dismiss its Complaint, with prejudice, and discontinue these proceedings.

SOUTH MISSISSIPPI ELECTRIC POWER
ASSOCIATION

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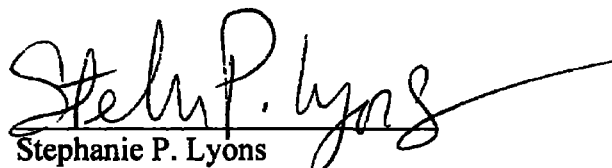
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Dated: August 22, 2011

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of August, 2011, I caused copies of the foregoing Motion To Dismiss with Prejudice to be served by First Class Mail and email on counsel for the Defendant, as follows:

G. Paul Moates, Esq.
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